

WARRANT FOR SPECIAL TOWN MEETING

MONDAY, OCTOBER 1, 2012

To either of the Constables of the Town of Stoneham in the County of Middlesex, Greeting:

In the name of the Commonwealth of Massachusetts, you are directed to notify and warn the inhabitants of the Town of Stoneham qualified to vote in elections and Town affairs to meet in the Town Hall, 35 Central Street, on

Monday, October 1, 2012

at 7:00 o'clock in the evening to act upon the following articles of this Warrant:

Article 1. To see if the Town will vote to amend the Stoneham Town Code, Article I, by adding the following:

Section 2-13

Only registered voters of the Town of Stoneham shall be allowed to speak on an article(s) at Town Meeting, unless consent is voted by majority vote by Town Meeting to allow a non-registered voter to speak on the article(s).

Board of Selectmen

Article 2. To see if the Town will vote to amend the Stoneham Town Code, Chapter 15, Zoning By-law by amending Section 4.13 and adding Section 4.22 and amending the Zoning Map of the Town of Stoneham and amending Section 5.2.1 to read as follows:

1.) Amending Section 4.13 Commercial District II

4.13.1 Purpose

The purpose of the Commercial District II is to provide for the development and redevelopment of the Fallon Road area. The district provides for commercial, office, and light industrial use.

4.13.2 Uses in the Commercial District II permitted as of right.

4.13.2.1 Restaurant, public dining room or lunch room with a gross floor area not greater than five thousand (5,000) square feet.

4.13.2.2 Retail store, service establishment, and retail business with gross floor area not greater than fifty thousand (50,000) square feet.

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TOWN OF STONEHAM
RECORDERS

- 4.13.2.3 Medical and dental offices, laboratories and clinics.
- 4.13.2.4 Office Buildings.
- 4.13.2.5 Office Parks.
- 4.13.2.6 Research and Development Laboratory engaged in any one of the following: experimental research and testing activities and production, including but not limited to the fields of life sciences, biology, chemistry, electronics, engineering, geology, medicine and physics excluding nuclear and hazardous biological uses.
- 4.13.2.7 Light Manufacturing.
- 4.13.2.8. Industrial Parks.
- 4.13.2.9 Elder Congregate housing, resident care living facility, including without limitation, nursing facility, assisted living facility, hospice care facility and long term care facility.
- 4.13.2.10 Storage warehouses and distribution buildings.
- 4.13.3 Uses permitted with a Special Permit Granted by Planning Board:
 - 4.13.3.1 Wireless Service Facility (including its supports) subject to the provisions of 6.11 Wireless Service Facility Regulations and Restrictions.
- 4.13.4 Uses Permitted with a Special Permit Granted by the Planning Board and Site Plan Approval by the Board of Selectmen:
 - 4.13.4.1 Restaurant, public dining room or lunch room with gross floor area of greater than five thousand (5,000) square feet with or without drive through facilities.
 - 4.13.4.2 Retail store, service establishment, and retail business with gross floor area greater than fifty thousand (50,000) square feet.
 - 4.13.4.3 Hotels including both full service and extended stay and related accessory uses in support of a hotel such as fitness and dining facilities, business center, restaurant, meeting rooms and retail shops wholly within the premises.
 - 4.13.4.4 Electric utility substation.
 - 4.13.4.5 Auto repair services provided that:
 - (a) All service is performed within an enclosed structure.
 - (b) Such building shall be located not less than one hundred (100') feet from properties used or zoned for residential purposes, and not less than six hundred (600) feet from a school.

- (c) Such building shall be set back at least fifty (50') feet from the street right-of-way.
- (d) No motor vehicles in an inoperative condition are to remain on such site for more than a two (2) week period unless enclosed in a building or fenced or screened from abutting properties.

4.13.4.6 Banquet Facilities, Function Halls, and Dinner Theaters.

4.13.5 Off-Street Parking, Layout, and Loading Requirements for Commercial District II shall be in accordance with Section 6.3 Off-Street Parking Requirements except as follows:

- (a) Parking spaces shall be on the same lot as the principle use except that parking spaces may be provided on an adjacent lot provided there is a special permit granted for said parking by the Planning Board.
- (b) A minimum of one (1) off-street loading area per office, commercial or retail building.

2.) Adding Section 4.22 Residential Overlay Fallon Road District

4.22.1 Purpose

The purpose of the Residential Overlay Fallon Road District is to provide for the redevelopment of a portion of the Fallon Road area for residential use.

4.22.2 Uses in the Residential Overlay Fallon Road District permitted as of right.

4.22.2.1 Apartment Building or Town house Design Dwelling Units, not to exceed four hundred ten (410) units in the Residential Overlay Fallon Road District provided that:

- (a) There is a maximum of twenty (20) units per acre.
- (b) Each structure shall be connected to and serviced by municipal water and sewer.
- (c) All existing or proposed utilities shall be installed underground at the time of initial construction.
- (d) The applicant must provide documentation to the Town of Stoneham Department of Public Works that the site is satisfactory in regard to drainage, water supply, and sewage disposal for the number of units to be constructed, such documentation to be prepared by a registered professional engineer and approved by the Town Engineer.

4.22.2.2 Off-Street Parking, Layout, and Loading Requirements for Residential Overlay Fallon Road District shall be in accordance with Section 6.3 Off-Street Parking Requirements except as follows:

- (a) Minimum required parking of 1.7 parking spaces per dwelling unit.
- (b) Parking spaces shall be a minimum of eight (8') feet by sixteen (16') feet.

- (c) Minimum aisle width of twenty-two (22') feet.
- (d) No minimum or maximum for the number of driveways permitting entrance to and exit from a lot to a street.
- (e) Parking spaces shall be on the same lot as the principle use except that parking spaces may be provided on an adjacent lot provided there is a special permit granted for said parking by the Planning Board.
- (f) Tandem parking spaces are allowed for Town house use.
- (g) One level of parking within the building footprint is allowed beneath the uses permitted as described in 4.22.2.1 above in which case the height regulation of Section 5.2.1 Table One will be raised ten (10') feet for that building.
- (h) No requirement for off-street loading area for Apartment Building or Town house design residential use.

3.) Amending the Zoning Map of the Town of Stoneham by adding a portion of the property on Fallon Road to the Residential Overlay Fallon Road District more specifically shown below as Parcel 1 and Parcel 2 as follows:

PARCEL 1

Property Address: 200 Fallon Road, Stoneham, MA

All that certain lot piece or parcel of land situate, lying and being in Stoneham, Massachusetts on the west side of Route I-93, so called, (said Route also being known as Route 93), shown as Lot Three on a plan dated July 20, 1967, by Raymond C. Pressey, Inc., entitled, "Plan of Middlesex Industrial Park, Stoneham, Massachusetts", recorded with Middlesex South District Deeds in Book 11407, Page 653, more particularly bounded and described as follows:

NORTHERLY: by land of Alfred A. Sartorelli, Trustee of the Fallon Land Trust, two hundred nine and 84/100 (209.84) feet;

NORTHEASTERLY

And NORTHERLY: by the southwesterly and southerly line of the cul-de-sac and strip shown as Fallon Road on said plan, a total distance of two hundred seven and 42/100 (207.42) feet (distance along said cul-de-sac being are distances totaling one hundred forty-three and 56/100 (143.56) feet);

EASTERLY: by land now or formerly of Servomation of New England, Inc., six hundred and 28/100 (600.28) feet;

SOUTHERLY: by land of the Commonwealth of Massachusetts (Metropolitan District Commission) three hundred eighty-eight and 76/100 (388.76) feet; and

WESTERLY: by the Town line between Winchester and Stoneham, five hundred eighty-four and 23/100 (584.23) feet.

Containing, according to said plan, 5.29 acres, with any of said measurements or contents more or less.

PARCEL 2

Property Address: 225 Fallon Road, Stoneham, MA

A certain parcel of land located in the Town of Stoneham shown as a portion of Lot A on Plan No. 887 of 2008 recorded at the Middlesex South District Registry of Deeds, described as follows:

Beginning at the southeasterly corner of the premises herein described at a point on the northerly sideline of Fallon Road; thence running

S77°50'05"W along said sideline a distance of 52.56 feet; thence running

Westerly along said sideline with a curve turning to the right with an arc length of 195.48 feet on a radius of 350.00 feet; thence running

N70°09'55"W along said sideline a distance of 147.46 feet; thence running

Northwesterly along said sideline with a curve turning to the right with an arc length of 24.38 feet on a radius of 30.00 feet; thence running

Westerly along said sideline with a reverse curve turning to the left with an arc length of 40.64 feet on a radius of 50.00 feet; thence turning and running

N70°09'55"W a distance of 260.21 feet to a point on the Stoneham/Winchester Town Line; thence turning and running

N19°25'01"E along said Town Line a distance of 85.20 feet; thence turning and running

N26°57'32"E a distance of 4.43 feet; thence turning and running

N18°07'23"E a distance of 25.73 feet to a point on the Stoneham/Winchester Town Line; thence turning and running

N19°25'01"E along said Town Line a distance of 78.87 feet; thence turning and running

N25°42'51"E a distance of 26.58 feet; thence turning and running

N21°57'32"E a distance of 102.14 feet; thence turning and running

N13°48'04"E a distance of 41.98 feet; thence turning and running

N20°19'36"E a distance of 79.93 feet; thence turning and running

S58°36'12"E a distance of 0.77 feet; thence turning and running

N18°38'48"E a distance of 270.00 feet; thence turning and running

N16°07'53"E a distance of 30.21 feet to a point on the Stoneham/Winchester Town Line; thence turning and running

N19°25'01"E along said Town Line a distance of 379.41 feet; thence running

N19°25'01"E continuing along said Town Line a distance of 161.02 feet; thence turning and running

S85°35'12"E a distance of 63.77 feet to a point on the southerly location line of Interstate Route 93; thence turning and running

S27°57'00"E along said location line a distance of 541.34 feet; thence turning and running

S00°33'39"W along said location line a distance of 460.99 feet; thence running

Southeasterly along said location line with a curve turning to the left with an arc length of 77.04 feet on a radius of 280.00 feet; thence turning and running

S68°22'31"W a distance of 75.24 feet; thence turning and running

Southeasterly with a curve turning to the right with an arc length of 78.58 feet on a radius of 141.87 feet; thence running

S02°45'06"W a distance of 21.34 feet; thence running

Southerly with a curve turning to the right with an arc length of 53.00 feet on a radius of 88.00 feet; thence running

S37°15'35"W a distance of 17.12 feet; thence running

Southeasterly with a curve turning to the left with an arc length of 36.10 feet on a radius of 112.00 feet; thence running

S18°47'37"W a distance of 4.70 feet; thence running

Southeasterly with a curve turning to the left with an arc length of 69.58 feet on a radius of 112.00 feet; thence running

S16°48'07"E a distance of 86.61 feet to the point of beginning.

Containing an area of 649,862 Square Feet, or 14.919 Acres

4.) Amending the Zoning Table One - Dimensional Requirements as attached.

Section 5.2.1

TABLE ONE - DIMENSIONAL REQUIREMENTS

District	Minimum Lot Size in Square Feet	Frontage & Lot Width in Feet ⁽²⁾	Percent Coverage ⁽³⁾	Minimum Setback in Feet			Height in Feet
				Front	Side ⁽⁴⁾⁽¹⁵⁾	Rear ⁽¹⁵⁾	
<i>Residence A</i>	10,000 ⁽¹⁾	90	30	20	10 ⁽⁸⁾	15 ⁽⁸⁾⁽¹⁰⁾	30
<i>Residence B</i>	7,000 ⁽⁵⁾	75 ⁽⁷⁾	20	15 ⁽⁶⁾	10 ⁽⁶⁾	15 ⁽⁶⁾⁽⁸⁾⁽¹⁰⁾	30
<i>Neighborhood Business</i>	10,000	100	50	15	15	15	30
<i>Business</i>	None Required	None Required	75	15	10	15	45
<i>Central Business</i>	None Required	None Required	100	None	None	None	45
<i>Highway Business</i>	10,000	100	75	20 ⁽⁹⁾	5	5	45
<i>Commercial</i>	20,000	100	75	15	10	10	65 ⁽¹⁸⁾
<i>Residential Overlay Fallon Road</i>	200,000 ⁽²²⁾ Maximum density = 20 units/acre	150	30	20	20	10	65 ⁽¹⁹⁾
<i>Medical⁽¹¹⁾</i>	40,000	150	40	40	20	50	65
<i>Recreation/Open Space</i>	40,000	150	5	40	20	50	30
<i>Education⁽¹²⁾</i>	50,000	45	35	20	13	20	55
<i>Medical/Office/Residential</i>	200,000/200,000/200,000	150/150/150	30/30/30	40 ⁽¹³⁾ / 30 ⁽¹³⁾ / 30 ⁽¹³⁾	20 ⁽¹³⁾ /20 ⁽¹³⁾ /10 ⁽¹³⁾ 3 ⁽¹⁴⁾	20 ⁽¹³⁾ /20 ⁽¹³⁾ /10 ⁽¹³⁾⁽¹⁴⁾	97/97/ 65
<i>Railroad Right-of-Way Overlay District</i>	None ⁽¹⁷⁾	None ⁽¹⁷⁾	75 ⁽¹⁷⁾	5 ⁽¹⁶⁾⁽¹⁷⁾	5 ⁽¹⁶⁾⁽¹⁷⁾	5 ⁽¹⁶⁾⁽¹⁷⁾	20
<i>East School Multi-Family Overlay District</i>	20,000	Frontage – 150 Width – 130	50	40 ⁽²⁰⁾	10 ⁽²⁰⁾	30 ⁽²⁰⁾	40 ⁽²¹⁾

- (1) Except 40,000 feet for all non-residential uses.
- (2) See 5.3.4 (Reserved)
- (3) Portion of lot devoted to structure.
- (4) Except that no part of a building may be placed within 15' of any street.
- (5) Plus 2,500 for each dwelling unit over one in a structure.
- (6) 30' for three or more dwelling units.
- (7) 150' for three or more dwelling units.
- (8) A minimum distance of ten (10') feet between buildings on adjacent lots in Residence A and B must be maintained.
- (9) Except 15' for freestanding pole or ground signs.
- (10) Except for pools which shall have a ten (10') foot minimum rear setback requirement. (5-12-86)
- (11) Residential uses in the Medical District shall conform to the requirements specified herein for the Residence B District.
- (12) No setback required where abutting public open or recreational space. (5-7-98)
- (13) Retaining walls over four (4') feet in height are permitted within the required front, side, and rear setbacks in the Medical/Office/Residential District.
- (14) Minimum Space between principal buildings on the same lot is ten (10') feet.
- (15) Fences as structures of six (6') feet in height or less and retaining walls of four (4') feet in height or less are excluded from front, side, and rear setback requirements except retaining walls over four (4') feet in height are permitted in the Medical/Office/Residential District in Note (13).
- (16) Except that there shall not be a setback requirement if the property abutting the subject lot line is owned by the same person or entity that is using the property in the Railroad Right-of-Way Overlay District.
- (17) Property in the Railroad Right-of-Way District shall not be used in calculating or otherwise complying with the frontage, lot size, percent lot coverage or setback requirements of an abutting property.
(Art. 11, 4-7-09)
- (18) Height may be increased to 85 feet by Special Permit from Planning Board.
- (19) Height may be increased to 80 feet by Special Permit from the Planning Board.
- (20) A flagpole, retaining wall of no greater than five feet (5') in height, ramp, stairway or bulkhead from the ground level to the basement are all excluded from the setback requirements.
- (21) A cupola, chimney or appurtenance accessory to a residential structure and use allowed under this Section 4.20 are all excluded from this height limitation, but in no event may they be greater than fifty-five feet (55') in height.
- (22) 10% of Lot Area shall be open space.

Planning Board

Article 3. To see if the town will vote to amend the Stoneham Town Code, Chapter 15, Zoning By-law by adding the following land to the Medical District:

A certain tract of land located in the town of Stoneham, Middlesex County, Massachusetts. Beginning at an iron pin at the most southwesterly corner of the property on Franklin Street thence running

N 29°08'30"E a distance of three hundred eight six and 20/100 (386.20) feet to an unmarked point, thence running

S75°29'36"E a distance of one hundred seventy three and 64/100 (173.64) feet to an unmarked point, thence running

S 14°50'15"W a distance of two hundred forty three and 44/100 (243.44) feet to an unmarked point, thence running

S73°29'30"E a distance of forty nine and 80/100 (49.80) feet to an unmarked point, thence running

S15°44'45"W a distance of thirty and 69/100 (30.69) feet to an unmarked point thence running

S26°42'15"W a distance of one hundred six and 57/100 (106.57) feet to an unmarked point, thence running

S16°36'46"W a distance of one hundred fourteen and 45/100 (114.45) feet to an unmarked point, thence running

S34°19'00"E a distance of eight four and 57/100 (84.57) feet along Franklin Street to a stone bound, thence running

One hundred thirty three and 46/100 (133.46) feet along an arc with a radius of two hundred sixty three and 08/100 (263.08) feet to an unmarked point, thence running

N63°23'00"W a distance of eleven and 23/100 (11.23) feet along Franklin Street to the point of beginning

Planning Board

Article 4. To see if the Town will vote to amend the Stoneham Town Code Chapter 15, Zoning Bylaw, by adding Section 4.17, Residential/Business Overlay District and amend the Zoning Map of the Town of Stoneham as follows:

4.17 Residential/Business Overlay District

4.17.1. Purpose: The purpose of the Residential/Business Overlay District is to allow the

development of housing within portions of the Business and Central Business Districts.

4.17.2 Uses within the Residential/Business Overlay District are permitted on a Special Permit granted by the Planning Board and Site Plan approval by the Board of Selectmen.

4.17.2.1 Residential use is allowed on all floors in the Residential/Business Overlay District provided that no more than five (5) dwelling units shall be allowed in a building.

Amend the Zoning Map to add the parcels of land on Main Street from Hancock Street to Marble Street, the parcels of land on Franklin Street from Main Street to Pine Street, the parcels of land on Montvale Avenue from Main Street to Cottage Street and the parcels of land on Hill Court.

Planning Board

Article 5. To see if the Town will vote to amend the Stoneham Town Code, Chapter 15, Zoning By-Laws, by:

1. Adding Section 4.21 -- North Elementary School Overlay District, as follows:

4.21.1 Purpose:

The purpose of the North Elementary School Overlay District is to allow the as-of-right development and use of a residential building with no more than twelve (12) dwelling units on a portion of the site of the former North Elementary School at 195 Collincote Street, located within the underlying Resident A Zoning District, in order to best reuse this unique property and building. The North Elementary School Overlay District allows an additional land use option and does not eliminate or alter zoning rights permitted in the underlying zoning district.

4.21.2 Use(s) Permitted As Of Right:

4.21.2.1 One building for residential use with no more than twelve (12) dwelling units:

(a) Each dwelling unit containing no more than two (2) bedrooms.

(b) There shall be one thousand (1,000) square feet of usable common open space per dwelling unit. Usable common open space shall mean areas left substantially in a natural state or improved by such landscaping as required in Section 6.5 and primarily designed and intended for the active and passive recreation of the occupants of the dwellings. Usable common open space shall not include street rights-of-way, open parking, or service areas, driveways, easements for above-ground utilities, required minimum front yards, land with greater than a ten percent (10%) slope or land deemed unsuitable for common open space by the Building Inspector after consultation with the Town Engineer for reason of poor drainage.

4.21.3 Accessory Buildings and Structures:

4.21.3.1 There shall be no accessory buildings or other structures, other than a flagpole or as otherwise required by applicable law, bylaws or regulations of the Commonwealth of Massachusetts or the Town of Stoneham, except as allowed by Special Permit from the Planning Board, pursuant to Section 7.4. There shall be no personal wireless service facility, including, but not limited to, a cellular facility, tower or antenna, or any other telecommunication facility or structure, except to the extent required by applicable federal or state law.

4.21.4 Off-Street Parking, Layout, Screening and Loading Requirements

4.21.4.1. Off-Street Parking, Layout, Screening and Loading Requirements shall be in accordance with Section 6.3, except as follows: (a) two (2) off-street parking spaces for every dwelling unit; (b) the Section 6.3.5.2 requirement regarding the shielding of abutting properties from headlight glare shall apply to the protection of properties across a public or private way from the subject property, other than in the area of a driveway or other entrance or egress; and (c) Section 6.3.7 (Off-Street Loading) shall not be applicable.

2. Amending Section 5.2.1 – Table One – Dimensional Requirements, by adding the following (footnotes currently existing on the top line of Section 5.2.1 setting out the dimensional categories are not shown below, but shall be applicable):

SECTION 5.2.1 TABLE ONE - DIMENSIONAL REQUIREMENTS

District	Minimum Lot Size in Square Feet	Frontage and Lot Width in Feet	Percent Coverage	Minimum Setback in Feet			Height in Feet
North Elementary School Overlay District	100,000	Frontage – 50 Width - 50	20	Front 20 ⁽²⁰⁾	Side 10 ⁽²⁰⁾	Rear 30 ⁽²⁰⁾	40 ⁽²¹⁾

(20) A flagpole, retaining wall of no greater than five feet (5') in height, ramp, stairway or bulkhead from the ground level to the basement are all excluded from the setback requirements.

(21) A cupola, chimney or appurtenance accessory to such multi-family residential structure and use allowed under this Section 4.21 are all excluded from this height limitation, but in no event may they be greater than fifty-five feet (55') in height.

3. Amending Section 6.7 – Signs, by adding the following to the end of the title of the Residence A chart – “and North Elementary School Overlay District”.

4. Amending the Zoning Map of the Town of Stoneham by adding a portion of the current North Elementary School property located at 195 Collincote Street to the new North Elementary School Overlay District, as shown as Lot D on a plan entitled "Subdivision Plan of Land at #195 Collincote Street Stoneham, Massachusetts Scale: 1" = 40' January 25, 2012 Robert E. Grover Town Engineer", on file with the Town Clerk, and more specifically shown on the Plan of Land, as follows:

Lot D

Beginning at a point in the northerly sideline of Collincote Street, a 50.00 foot public way, the line runs along said northerly sideline westerly by a curve to the left of radius 454.53 feet, 54.33 feet, to a point; thence the line turns and runs north 21-40-00 east, 40.00 feet, to a point; thence continuing north 11-32-11 east, 65.18 feet, to a point; thence the line turns and runs north 73-54-50 west, 147.00 feet to a point at land now or formerly of Colonial Court Realty, Inc.; thence the line turns and runs by land of Colonial Court realty, Inc., north 16-05-10 east, 418.33 feet, to a point; thence the line turns and runs south 72-47-00 east, 60.95 feet, to a point; thence the line runs south 74-27-40 east, 164.63 feet, to a point; thence the line turns and runs south 19-22-40 west, 160.26 feet, to a point; thence the line turns and runs south 70-37-20 east, 74.00 feet, to a point; thence the line turns and runs south 19-22-40 west, 213.61 feet, to a point; thence the line turns and runs north 70-37-20 west, 50.00 feet, to a point; thence the line turns and runs south 30-27-39 west, 98.99 feet, to a point; thence continuing south 19-22-40 west, 40.00 feet, to the point of beginning. Said Lot D containing 111,380 square feet, more or less.

Or do anything in relation thereto.

Stoneham Planning Board

Article 6. To see if the Town will vote to accept as a Public Way the following way as laid out by the Town Administrator.

Constitution Rd, Stoneham, MA from the corner of Crosby St to the corner of Hanford Rd a distance of nine hundred fifty-one and twenty-eight Hundredths (951.28) feet more or less.

And authorize the Board of Selectmen or Town Administrator to obtain by purchase, accept as a gift, and take by right of eminent domain under provisions of Chapter 70 or 80a of the General Laws, or otherwise acquire any land or interests in land necessary or proper of acceptance of such ways, and to raise and appropriate or transfer from available funds a sum of money for plans, recording fees, legal expense in connection with acceptance of said ways, or do anything in relation thereto.

**John F. DePinto et al
3 Rebecca Lane**

Article 7. To see if the Town will vote to amend the Stoneham Town Code, Chapter 2 – Administration, Article V- Committees, by amending Section 2-37.3. "Capital Improvement Advisory

Committee” by adding Subsection (a)(vii) “one member of the School Committee” and making the appropriate grammatical and punctuation changes to Subsections (a)(v) and (a)(vi), all shown below with the additions shown in bold and underline, and the deletions in strikeout:

Section 2-37.3. Capital Improvement Advisory Committee

(a) The Board of Selectmen shall establish and appoint a Capital Improvement Advisory Committee (hereinafter referred to as the “Committee”), composed of:

- (i) one member of the Board of Selectmen as chosen by the Board;
- (ii) one member of the Planning Board as chosen by the Board;
- (iii) one member of the Finance and Advisory Board as chosen by that Board;
- (iv) the School Superintendent or his designee;
- (v) the Town Administrator; ~~and~~
- (vi) three residents of Stoneham selected by the Board of Selectmen; and
- (vii) one member of the School Committee.**

The Town Accountant shall assist the Committee in its work. The Committee shall choose its own officers.

(b) The Committee shall study proposed capital projects and improvements involving major non-recurring tangible assets and projects which:

- (i) are purchased, or undertaken, at intervals of not less than five years;
- (ii) have a useful life of at least five (5) years; and
- (iii) incur a total cost over \$5,000.

(c) All departments, officers, boards and committees, including the Selectmen and School Committee, shall, by February 28th of each year, give to the Committee, on forms prepared by the Committee, information concerning all anticipated projects requiring Town Meeting action during the ensuing five (5) years. The Committee shall consider the relative need, impact, timing and cost of these expenditures and the effect each will have on the financial position of the town.

(d) The Committee shall prepare an annual report recommending a Capital Improvement Budget for the next fiscal year and a Capital Improvement Program including recommended capital improvements for the following five (5) fiscal years. The report shall be submitted to the Board of Selectmen prior to the annual town meeting to assist the Board of Selectmen with their recommended Capital Budget.

(e) The Committee’s report and the Selectmen’s recommended Capital Budget shall be published and made available in a manner consistent with the distribution of the Finance and Advisory Board Town Meeting recommendations. The Committee shall file its report with the Town Clerk.

Board of Selectmen

Article 8. To see if the town will vote to transfer a sum of money from available funds or Surplus Revenue into the Capital Stabilization Fund.

Board of Selectmen

Article 9. To see if the Town would vote to raise and appropriate, transfer from available funds, or borrow, a sum of money to fund capital projects, or do anything in relation thereto.

Capital Committee

Article 10. To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to help pay down the existing liability resulting from employees accrued vacation, sick and compensatory time, or do anything in relation thereto.

Board of Selectmen

Article 11. To see if the Town will vote to accept Section 108P of Chapter 41, which provides additional compensation for collectors or treasurers who have been awarded a certificate by the Massachusetts Collectors and Treasurers Association as a certified Massachusetts municipal collector or a certified Massachusetts municipal treasurer. Said certified Massachusetts municipal collector or treasurer shall receive as compensation from such city, town or district, in addition to the regular annual compensation paid by such city, town or district for services in such office, an amount equal to 10 per cent of such regular annual compensation, but not more than \$1,000 per year. A collector or treasurer who has been awarded both certificates referred to above shall receive such additional compensation for only one such certificate. In order to qualify for such additional compensation, a collector or treasurer shall submit to the mayor or board of selectmen of such city or town, or the governing board of a district proof of the award of either or both such certificates. The additional compensation provided in this section shall be prorated for any 12 month period in which an eligible person does not hold the office of collector or treasurer for 12 consecutive months. Such additional compensation shall be discontinued when certification is discontinued or withdrawn. Or do anything in relation thereto.

Board of Selectmen

Article 12. To see if the town will vote to accept Sections 3 to 7, inclusive, of Chapter 44B of the General Laws, otherwise known as the Massachusetts Community Preservation Act and beginning in Fiscal Year 2013, by approving a surcharge on real property for the purposes permitted by said Act, including the

- acquisition, creation and preservation of open space,
- acquisition, preservation, rehabilitation and restoration of historic resources,
- acquisition, creation, preservation, rehabilitation and restoration of land for recreational use,
- acquisition, creation and support of community housing,

that is acquired or created as provided under said Act; to determine the amount of such surcharge on real property as a percentage of the annual real estate tax levy against real property; to determine whether the

Town will accept any of the exemptions from such surcharge permitted in Section 3 (e) of said Act; and to act on anything relating thereto.

**John Warren et al
25 Dean Street**

Article 13. To see if the Town will vote to raise and appropriate a sum of money to implement certain rehabilitation and construction projects on the Town's sanitary sewer system under Phase 8 of the Massachusetts Water Resources Authority Assistance Program and the Town Treasurer, with the approval of the Board of Selectmen, be authorized to sell from time to time, as the occasion requires, town notes, bonds, or other evidence of indebtedness in the amount not to exceed \$424,000 in accordance with Chapter 44, Section 7 (1) of the Massachusetts General Laws and further to accept any grants or gifts for those projects or do anything in relation thereto.

Board of Selectmen

Article 14. To see if the Town will vote to appropriate \$488,069 to be received by the Town from the Commonwealth of Massachusetts Chapter 90 local transportation aid funding for fiscal year 2013 for the purpose of continuing the permanent construction program on public ways within the Town or other eligible municipal projects and authorize the Town Administrator to make such expenditure or do anything in relation there to.

Board of Selectmen

Article 15. To see if the Town will vote to transfer the sum of \$75,000 from available funds for the purpose of defraying costs of constructing water mains or anything in relation thereto within the limits of the Town.

Board of Selectmen

Article 16. To see if the Town will vote to transfer a sum of money from available funds or Surplus Revenue into the Stabilization Fund.

Board of Selectmen

Article 17. To see if the Town will vote to amend the amount to be raised and appropriated under Article No. 22 of the May 7, 2012 Annual Town Meeting and adjust the Fiscal Year 2013 departmental budgets and funding sources, or to do anything in relation thereto.

Board of Selectmen

And you are directed to serve this Warrant by posting attested copies in at least ten (10) public places in the Town fourteen (14) days at least before the time for holding said meeting and by causing an attested copy to be published in some newspaper in the town, the publication to be not less than three (3) days before said meeting.


Hereof fail not and make due return of this Warrant with your doings thereon to the Town Clerk at the time and place aforesaid.

Given unto our hands this 28th day of August in the year of our Lord two thousand twelve.

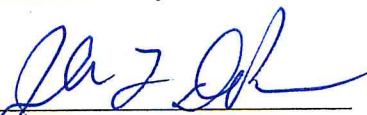
Board of Selectmen



Frank Variarelli, Chairman



Thomas Boussy



John F. DePinto




Richard S. Gregorio



Robert W. Sweeney

md

Pursuant to the within Warrant I have notified and warned the inhabitants of the Town of Stoneham qualified to vote in elections and Town affairs of the within meeting by posting attested copies of the said Warrant in at least ten (10) public places in the town on September 7, 2012 and by publishing duly attested copy of said Warrant in the Stoneham Independent on September 12, 2012.



Robert E. Moreira
Constable of Stoneham